

REMARKS

Claims 60-87 are in the application.

Claim 60 is amended to distinguish US 5,204,114. Claim 60 now provides a combination therapy. The Examiner's attention is respectfully drawn to US 6,586,404, which is related hereto and includes similar, though distinguished, claims.

Claim 72 is now made dependent from claim 60.

The oral unit dose limitation of claim 60 has been recited in dependent claims.

New claim 80 replaces former independent claim 72, but differs in that it ascribes functions to both the glutathione component and the antiviral or antibiotic components. It is also not limited as a unit dosage form.

No new matter is entered hereby.

It is noted that quinolone antibiotics, discussed in the specification, are known to act by means of inhibition of topoisomerase.

INTERVIEW SUMMARY


Applicant's undersigned attorney conduct two short telephone interviews with the Examiner on July 18, 2003. Applicants noted that a supplemental amendment was filed July 8, 2003, before issuance of the July 14, 2003 Office Action, correcting the errant claim numbering.

In light of the rejection of claim 60, applicants proposed an amendment of claim 60 to more closely correspond to claim 65, and suggested a Markush formulation to include the subject matter of claim 72 as well. Given the present status of the application, the Examiner agreed that the next Office Action would be non-final.

The Examiner noted the disclosure of Adriamycin (and other antineoplastic agents) in the cited art. It is admitted prior art to combine Adriamycin with glutathione for intravenous administration. Adriamycin is a free radical generating antineoplastic agent having relatively high human toxicity, and high cardiomyotoxicity. It is believed that this agent is not pharmaceutically acceptable as an effective nitric oxide precursor, antiviral agent, nor antimicrobial antibiotic agent, and thus the disclosure is non-anticipatory. While doxorubicin and daunorubicin are in a class considered to be "antibiotics", their therapeutic index for this purpose is so low as to make it ineffective and pharmaceutically unacceptable. It is further noted that the antineoplastic agents are generally not administered orally. Therefore, the claims are believed distinguished.

It is therefore respectfully submitted that the presently claims are allowable in view of the art, and a Notice of Allowance is respectfully solicited. If the Examiner disagrees, he is invited to contact the undersigned before issuing a new Office Action to discuss in a telephone interview.

Respectfully Submitted,



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